

**REMARKS**

Claims 1-12 are pending in the application. Claims 10-12 were withdrawn from consideration.

The specification disclosure was objected to because of the following informalities. The Examiner seek correction as to portions of the written description, regarding page 2, lines 13-20 and page 3, lines 1-6. Respectfully, Applicant traverses rejection of the "Summary of Invention" section of the specification (i.e., pages 2 and 3), as improper as it does not violate any portion(s) or section(s) of the MPEP or CFR. The Applicant amends the specification to specifically show the relationship of the "torque limiting timing device" as now claimed. The aspect of the elements being in fluid communication is discussed throughout the specification and clearly shown in Figures 1-9 as element 300 that is in fluid communication with the pressure regulator. Therefore, Applicant respectfully requests entry of the amendment to the specification as no new matter is added.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wallace *et al.* (US Patent No. 3,951,217) in view of Schoeps *et al.* (US Patent No. 5,492,185).

Applicant addresses the rejection under Wallace and Schoeps by more particularly pointing out the Applicant's invention that is not taught by the cited combination of art. The rejection should be withdrawn because the combination of Wallace and Schoeps does not teach, or suggest, each and every element of independent claim 1, as amended to include the requirement of fluid communication of the timing device. Specifically, Schoeps does not teach, or suggest, a "torque limiting timing device, configured to shut off fluid flow to said motor after a predetermined time that torque has been applied by the tool has been reached wherein said

**torque limiting timing device is in fluid communication with the pressure regulator."** (emphasis added), as in claim 1, as amended. Schoeps does not teach or suggest a torque limiting timing device in fluid communication. The Examiner admits that Wallace "lacks a torque limiting timing device." (See Office Action, page 3). To the contrary, Schoeps discloses an impulse wrench that is "arranged to compute and compare received signals with predetermined values and to initiate shut-off of the power supply (31) as a desired tightening condition is reached." (See Abstract). There is no suggestion or disclosure of time(s) being selected so as to shut off air flow by being in fluid communication with the pressure regulator. Further, Wallace does not remedy the glaring deficiency in Schoeps.

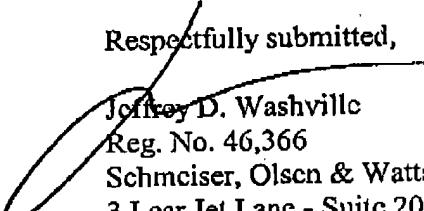
The applicant respectfully requests that the amendment be entered to advance the application to allowance. Thus, in light of the enclosed amendment, the rejection of claim 1 should be withdrawn and the claim allowed. In that claims 2-9 depend from independent claim 1, they too should be allowed.

**CONCLUSION**

Based on the preceding amendments, Applicant respectfully submits that claims 1-9 and the entire application meet the acceptance criteria for allowance and therefore request favorable action. Applicant respectfully requests entry of the after final amendment to advance the application to allowance. Applicant believes that the amendment submitted is fully supported by the specification and does not require an additional search. If the Examiner believes anything further would be helpful to place the application in better condition for allowance, Applicant invites Examiner to contact Applicant's representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account No. 19-0513.

Date: 13 SEP 05

Respectfully submitted,

  
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